



Municipality of Port Hope

Staff Report

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Report Title: Complete Application
Zoning By-law Application (ZB01-2023)
196 Toronto Road & 2267 Baulch Road

Report to: Planning & Development Committee

Date of meeting: February 7, 2023

Report Author:

Vanessa Wismer, Planner

Department responsible:

Planning & Development

Report Number: Completed by
Corporate
Services

Recommendation:

That Committee receive as information and direct Staff to proceed in accordance with the notification requirements of the *Planning Act*.

Highlights:

- The Municipality of Port Hope has received a Zoning By-law Amendment application for the lands municipally known as 196 Toronto Road & 2267 Baulch Road.
- The purpose of the proposed Zoning By-law Amendment application is to permit on a temporary basis, up to 10 years, on a portion of the subject lands for the use as temporary office, laboratory, training facility and storage of soil samples.
- Staff considers the application to be complete application under Section 34(10.4) of the Planning Act.
- The Public Meeting is scheduled for March 7, 2023.

Background:

A complete application has been received by the Municipality from the agent, Clark Consulting Services on behalf of Canadian Nuclear Laboratories (CNL) for lands owned by Atomic Energy of Canada Limited (AECL) consisting of two contiguous parcels: a portion of 196 Toronto Road (0.9 ha), in the urban area and a portion of 2237 Baulch Road (1.85 ha) in the rural Area of the Municipality of Port Hope (see **Figure 1**). The lots are intended for temporary office, laboratory, training facility and storage of soil samples, as part of the Radioactive Waste Management Program being conducted by CNL for the Municipality of Port Hope.

196 Toronto Road was formerly used as a church and is currently being used as offices for the Historic Waste Program. Two portable modular structures are currently located in the parking lot of the former church: the eastern modular is used as an Environmental Laboratory and the western modular as a Training Facility. Eight seacans are located on the western portion of the property.

2237 Baulch Road include a security fenced area for roll off storage bins and an area to the western end that is used for parking of staff involved in the Long Term Waste Management Facility (LTWMF) site. Seven seacans are located on the eastern end of this property.

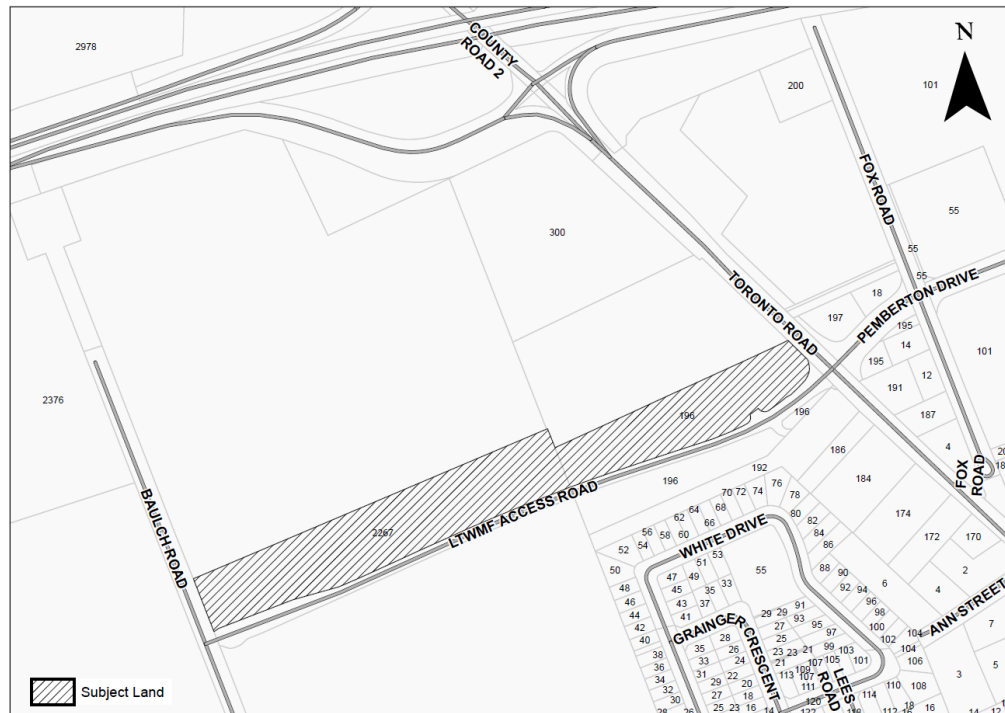


Figure 1: Subject Lands Map

The subject lands are currently designated “Low Density Residential” and “Highway Commercial” by Municipality of Port Hope Official Plan and zoned as Low Density Residential One Type One ‘RES1-1’ and Rural Commercial, Holding Provision Three ‘COMR(H3)’ by Zoning By-Law 20/2010, as amended.

Discussion:

CNL would like to use these subject lands for storage, in sea containers and quonset huts, of soil samples from small scale sites (SSS) for up to 10 years to retain a record of the initial sampling and the final sampling of the remediated sites. The seacans will hold soil samples with low level radioactive waste (LLRW) from characterization borehole drilling after testing. The soil samples are stored until remediation has been completed for a site, after which the samples are safely disposed of at the LTWMF located just west of the subject lands.

The temporary use will involve the construction of access and the site grading and spreading of a gravel base, for the containers and the quonset hut.

Storage of soil samples is not permitted in either zone. As such, the applicant is requesting temporary use provisions by means of a Temporary Use By-law to:

- Recognize the existing uses related to the establishment of the LTWMF
- Permit the soil sample storage in containers and quonset huts.
- Allow these uses for the duration of the Port Hope Area Initiative Port Hope project (10 years).

The applicant is proposing to rezone the subject lands from 'RES1-1' Zone and 'COMR(H3)' Zone to 'RES1-1(T5)' Zone and 'COMR(H3)(T6)' Zone.

Pursuant to the *Planning Act*, staff will notify the prescribed individuals and agencies regarding the receipt of the complete application.

Community Consultation and Engagement:

Once the application is considered complete, then the technical review from the applicable departments and agencies begins as well as commencement of the Public consultation/engagement process.

In accordance with the *Planning Act*, a combined Notice of Complete Application and Public Meeting will be mailed to all assessed persons within 120 metres of the subject lands. The notice will be published in the local newspaper (Northumberland News) on February 9, 2023 and posted on the municipal website. All the comments received from local residents concerning the subject application will be made public and attached to future Staff reports.

Additionally, a Notice will be posted at the site of the Zoning By-law Amendment on Toronto Road. This application will be listed under the "Current Planning Applications" webpage.

As part of the application process, Council must convene a formal "statutory" Public Meeting pursuant to the Planning Act. The Public Meeting date will be finalized in the future. At the Public Meeting, staff will present a report that will provide an overview of the planning applications, associated reports, planning legislation and comments received to date. No formal recommendations are provided in the staff report and no Council decision is rendered. The public can provide input to the Municipality's Council and staff at any point prior to Council's decision.

A Planning Recommendation report will be prepared after the statutory Public Meeting and will be presented to a Committee of the Whole meeting, prior to Council rendering a decision.

Financial Considerations:

There are no anticipated negative financial implications imposed on the Municipality as a result of this application. The applicant has submitted the required fees.

Conclusion:

1. Staff considers the application for a Zoning By-law Amendment (ZB01-2023) for a portion of lands municipally known as 196 Toronto Road and 2267 Baulch Road to be a *complete application* under Section 34 (10.4) of the *Planning Act*.
2. The Public Meeting to consider the application is proposed on March 7, 2023 at 5:30 pm.

Combined Notice of the Complete Application and Public Meeting will be in accordance with the provisions of Section 34 of the *Planning Act*.

ATTACHMENTS: